

I instruct you that you must presume the defendant to be innocent of the crime[s] charged. Thus the defendant, although accused of [a] crime[s] in the indictment, begins the trial with a "clean slate" -- with no evidence against him. The indictment is not evidence of any kind. [The defendant is, of course, not on trial for any act or crime not contained in the indictment]. The law permits nothing but legal evidence presented before the jury in court to be considered in support of any charge against the defendant. The presumption of innocence alone, therefore, is sufficient to acquit the defendant[s].

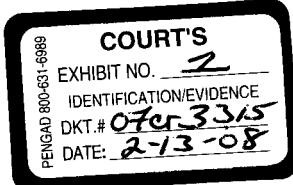
The burden is always upon the prosecution to prove guilt beyond a reasonable doubt. This burden never shifts to a defendant for the law never imposes upon a defendant in a criminal case the burden or duty of calling any witnesses or producing any evidence. The defendant is not even obligated to produce any evidence by cross-examining the witnesses for the government.

It is not required that the government prove guilt beyond all possible doubt. The test is one of reasonable doubt. A reasonable doubt is a doubt based upon reason and common sense -- the kind of doubt that would make a reasonable person hesitate to act. Proof beyond a reasonable doubt must, therefore, be proof of such a convincing character that a reasonable person would not hesitate to rely and act upon it in the most important of his or her own affairs.

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The jury will remember that a defendant is never to be convicted on mere suspicion or conjecture.

Unless the government proves, beyond a reasonable doubt, that the defendant has committed each and every element of the offense charged in the indictment, you must find the defendant not guilty of the offense.



If the jury views the evidence in the case as reasonably permitting either of two conclusions - one of innocence, the other of guilt -- the jury must, of course, adopt the conclusion of